IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

NATHAN SMITH	§	
	§	
vs.	§	Civil Action No. 4:07-00784
	§	
THE ABANDONED VESSEL, *in rem*	§	

INTERVENOR SORENSON'S ORIGINAL ANSWER

TO THE HONORABLE JUDGE OF THE COURT:

Intervenor Marie Sorenson, subject to her motions to dismiss filed concurrently, files this her original answer to Plaintiff's First Amended Original Complaint (DKT# 001) as follows:

ADMISSIONS & DENIALS

1. Intervenor is without knowledge or information sufficient to form a belief about the truth of Plaintiff's residence allegations in Complaint paragraph 1.

2. Intervenor denies the allegations in Complaint paragraph 2 that there is a vessel of any description at the location indicated.

Smith v. The Abandoned Vessel Doc. 20

3. Intervenor denies the allegations of Complaint paragraph 3 that there is a vessel of any description at the location indicated.

4. Intervenor is without knowledge or information sufficient to form a belief about the truth of the allegations in Complaint paragraph 4.

5. Intervenor denies that the allegations in Complaint paragraph 5 that there is a vessel of any description at the location indicated and denies that Plaintiff has found, discovered or confirmed any such vessel remains.

6. Intervenor denies the allegations in Complaint paragraph 6 that Plaintiff has engaged in the described operations and is without knowledge or information sufficient to form a

belief about the truth of Plaintiff's allegations as to his contact with officials of the State of Texas.

7. Intervenor is without knowledge or information sufficient to form a belief about the truth of the allegations in Complaint paragraph 7.

8. Intervenor denies the allegations in Complaint paragraph 8.

9. Intervenor denies the allegations in Complaint paragraph 9.

10. Intervenor answers the re-allegations in Complaint paragraph 10 as above.

11. Intervenor denies the allegation in Complaint paragraph 11 that this Court has jurisdiction of this case under admiralty and maritime jurisdiction.

12. Intervenor answers the re-allegations in Complaint paragraph 12 as above.

13. Intervenor denies the allegations in Complaint paragraph 13.

14. Intervenor denies the allegations in Complaint paragraph 14 in that this Court has no jurisdiction over this case thereby rendering 28 U.S.C. §2201 inapplicable. See, 28 U.S.C.A. §2201(a) ("In a case of actual controversy within its jurisdiction ....").

15. Intervenor is without knowledge or information sufficient to form a belief about the truth of the allegations in Complaint paragraph 15.

16. Intervenor denies the allegations in Complaint paragraph 16.

17. Intervenor denies the allegations in Complaint paragraph 17 in that Plaintiff is not entitled to the relief requested from this Court.

18. Intervenor answers the re-allegations in Complaint paragraph 18 as above.

19. Intervenor denies the allegations in Complaint paragraph 19.

20. Intervenor denies the allegations in Complaint paragraph 20.

21. Intervenor denies the allegations in Complaint paragraph 21.

22. Intervenor denies the allegations in Complaint paragraph 22.

23. Intervenor denies that Plaintiff is entitled to any of the relief as alleged in the Prayers of the Complaint.

WHEREFORE, Intervenor Marie Sorenson requests the Court dismiss this case for want of jurisdiction, alternatively dismiss this case for failure to state a claim, or alternatively enter judgment that Plaintiff take nothing by his claims and that Intervenor recover such other and further relief as to which she may be justly entitled.

Respectfully submitted,

WALKER, KEELING & CARROLL, L.L.P.
210 E. Constitution
P.O. Box 108
Victoria, Texas 77902-0108
361-576-6800
361-576-6196 (FAX)

By: ______________________
Ronald B. Walker
Texas Bar No. 20728300
Southern Dist. ID. No. 1500
Terry M. Carroll, Jr.
Texas Bar No. 03891950
Southern Dist. ID No. 12603

Attorneys for Intervenor Marie Sorenson

CERTIFICATE OF SERVICE

This is to certify that the foregoing was served on all parties in accordance with the Federal Rules of Civil Procedure on October 18, 2007, as follows:

Mr. Nathan Smith
P.O. Box 46243
West Hollywood, CA 90046
VIA U.S. First Class Mail

____
Terry M. Carroll, Jr.